

AMENDED IN SENATE AUGUST 18, 2011

AMENDED IN SENATE JULY 13, 2011

AMENDED IN SENATE JUNE 23, 2011

AMENDED IN SENATE JUNE 14, 2011

AMENDED IN ASSEMBLY MAY 26, 2011

AMENDED IN ASSEMBLY MAY 2, 2011

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 849

Introduced by Assembly Member Gatto

February 17, 2011

An act to amend Section 18941.7 of the Health and Safety Code, and to amend Section 14877.3 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 849, as amended, Gatto. Water: use efficiency: graywater building standards.

Existing law authorizes a city, county, or other local agency to adopt, after a public hearing and enactment of an ordinance or resolution, building standards that prohibit entirely the use of graywater, or building standards that are more restrictive than the graywater building standards adopted by the Department of Housing and Community Development and published in the California Building Standards Code.

This bill would repeal the authority of a city, county, or other local agency to adopt building standards that prohibit entirely the use of

graywater and instead authorize the adoption, under specified requirements, of standards that are more restrictive than that adopted pursuant to state requirements. The bill would require that an ordinance enacted pursuant to this authority include the local climatic, geological, topographical, or public health conditions requiring different building standards. The bill would also require a city, county, or other local agency to consult with the local public health department prior to ~~permitting~~ *commencing the issuance of permits for indoor* graywater systems, as specified.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 18941.7 of the Health and Safety Code
2 is amended to read:

3 18941.7. Subject to Section 14877.3 of the Water Code, a city,
4 county, or other local agency may adopt, after a public hearing
5 and enactment of an ordinance or resolution, building standards
6 that are more restrictive than the graywater building standards
7 adopted by the Department of Housing and Community
8 Development under Section 17922.12 and published in the
9 California Building Standards Code.

10 SEC. 2. Section 14877.3 of the Water Code is amended to read:

11 14877.3. (a) Subject to subdivision (b), a city, county, or other
12 local agency may adopt, after a public hearing and enactment of
13 an ordinance or resolution, building standards that are more
14 restrictive than the graywater building standards adopted pursuant
15 to state requirements.

16 (b) An ordinance adopted pursuant to subdivision (a) shall
17 include the local climatic, geological, topographical, or public
18 health conditions that necessitate building standards that are more
19 restrictive than the graywater building standards adopted pursuant
20 to state requirements and shall be limited to the specific area of
21 the city, county, or local agency where the conditions exist.

22 (c) Prior to ~~permitting~~ *commencing the issuance of permits for*
23 *indoor* graywater systems pursuant to state requirements relating
24 to graywater, a city, county, or other local agency shall ~~consult~~
25 *seek consultation* with the local public health department to ensure

1 that local public health concerns are addressed in local standards
2 or ordinances, or in issuing permits.

3 SEC. 3. It is the intent of the Legislature to encourage the use
4 of graywater systems and to provide consistency and uniformity
5 in the implementation of graywater standards in this state, where
6 appropriate. It is the intent of the Legislature to support innovation
7 in the development of graywater technology that promotes prudent
8 water conservation efforts for this state.

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